

August 31, 2007

Mr. Les Boles, Director
Office of State Budget
1201 Main Street, Suite 950
Columbia, South Carolina 29201

RE: FY 2008-09 Budget Plans - Letter of Transmittal

Dear Mr. Boles:

Please accept the following letter of transmittal of the FY2008-2009 Budget Plans for the SC Commission on Prosecution Coordination. Enclosed please find the *Executive Summary* that briefly describes the Commission's mission and strategic goals and the *Detailed Justification* that ranks the most critical needs of the Commission.

The Commission is governed by Sections 1-7-910 through 1-7-1000 of the South Carolina Code of Laws. The Commission is composed of the Chairmen of the Senate and House Judiciary Committees or their legislative designees, the Chief of the SC Law Enforcement Division, the Director of the Department of Public Safety, a director of a Judicial Circuit Pre-Trial Intervention Program, a Judicial Circuit Victim-Witness Assistance Advocate, and five Judicial Circuit Solicitors appointed by the Governor.

The primary clientele served by this agency are the sixteen Judicial Circuit Solicitors, the deputy solicitors and assistant solicitors throughout the State, the sixteen Judicial Circuit Victim/Witness Assistance Advocates and their programs, the Pretrial Intervention Directors and their programs representing the forty-six (46) counties of this State, and those Solicitor-based investigators.

Letter - Boles
August 31, 2007

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The Commission has the following duties:

1. Coordinate all administrative functions of the offices of the Solicitors and any affiliate services operating in conjunction with the Solicitors' offices;
2. Submit the budgets of the Solicitors and their affiliate services to the General Assembly;
3. Encourage and develop legal education programs and training programs for Solicitors and their affiliate services, organize and provide seminars to help increase the effectiveness and efficiency of the prosecution of criminal cases in this State, and act as a clearinghouse and distribution source for publications involving Solicitors and their affiliate services and provide legal updates on matters of law affecting the prosecution of cases in this State; and
4. Provide blank indictments for the Circuit Solicitors.

The Commission determined that these statutory duties proscribe the Agency's mission and objectives. It is against these statutory requirements that the agency measures its performance.

Should you have questions regarding this report please contact:

The Honorable Harold W. Gowdy, III, Chairman
Solicitor, Seventh Judicial Circuit
Spartanburg County Courthouse
180b Magnolia Street
Spartanburg, South Carolina 29306
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SC Commission on Prosecution Coordination
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Sincerely,

William D. Bilton
Executive Director

Enclosure

BUDGET PLAN FISCAL YEAR 2008-2009

I. EXECUTIVE SUMMARY

A. Agency Section/Code: E-21 **Name:** SC Commission on Prosecution Coordination

B. Mission Statement:

The SC Commission on Prosecution Coordination (SCCPC) coordinates all administrative functions of the offices of the Solicitors and affiliate services to include submission of the budgets, developing and providing both legal education and training programs, and serving as a clearinghouse and distribution source for publications involving Solicitors and affiliate services, provide blank indictments, and assists the Solicitors in establishing and maintaining a pretrial intervention program in each judicial circuit.

C. Summary Description of Strategic or Long Term Goals:

- to provide legal education programs and training programs for Solicitors and their affiliate services;
- to provide legal updates as it relates to the Office of Solicitor;
- to aid the Solicitors in addressing the burgeoning caseloads in the state;
- to submit the budgets of the Solicitors and their affiliate services to the General Assembly;
- to provide a special prosecutor to handle sensitive cases involving crimes of child abuse and sexual assault.
- to provide criminal history data to the Pretrial Intervention Programs across the state;
- to provide blank indictments to the sixteen Judicial Circuit Solicitors;

D. Summary of Operating Budget Priorities for FY 2007-08:

Priority No.	Program Name	State Non-Recurring	State Recurring	Federal	Other	Total
Priority #1	Child Victim/Witness Assistance Advocate FTEs		\$61,607 (1.00 FTEs)			\$61,607
Agency Activity Name and Number: 152 Administration						
Priority #2	Police Officers' Retirement System For Assistant Solicitors Funds FTEs		\$255,684 (No FTEs)			\$255,684
Agency Activity Name and Number: 151 Office of Solicitor State Appropriations						
Priority #3	Driving Under the Influence Prosecution Funds FTEs		\$1,600,000 (No FTEs)			\$1,600,000
Agency Activity Name and Number: 151 Office of Solicitor State Appropriations						
Priority #4	Criminal Domestic Violence Prosecution Funds FTEs		\$2,006,006 (No FTEs)			\$2,006,006
Agency Activity Name and Number: 151 Office of Solicitor State Appropriations						

Priority #5	Drug Treatment Court Programs			
	Funds	\$1,690,599		\$1,690,599
	FTEs	(No FTEs)		
Agency Activity Name and Number: 151 Office of Solicitor State Appropriations				
Priority #6	Judicial Circuit Solicitor			
	Salary Equalization			
	Funds	\$ 7,382		\$ 7,382
	FTEs	(No FTEs)		
Agency Activity Name and Number: 151 Office of Solicitor State Appropriations				
Priority #7	Solicitor Case Management System			
	Funds	\$ 127,500		\$127,500
	FTEs	(No FTEs)		
Agency Activity Name and Number: 151 Office of Solicitor State Appropriations				
Priority #8	Alcohol Education Program Software			
	Funds	\$ 100,000		\$100,000
	FTEs	(No FTEs)		
Agency Activity Name and Number: 152 Administration				
Total	Funds	\$ 100,000	\$5,748,778	\$5,848,778
E.	Recurring Base Appropriation	\$15,219,743	(Does not reflect 3% employee pay increase and associated fringes for FY2007/2008)	

F. Efficiency Measures:

The primary clientele served by this agency are the sixteen (16) Judicial Circuit Solicitors, the deputy solicitors and assistant solicitors throughout the State, the Judicial Circuit Victim/Witness Assistance Advocates and their programs, the Pretrial Intervention Directors and their programs representing the forty-six (46) counties of this state, and those Solicitors-based investigators.

The Commission is providing statistical data in five (5) areas: Information Technology/Accountability Coordinator, Child Abuse Prosecution, State Office of Pretrial Intervention, State Victim/Witness Assistance Coordinator and Traffic Safety Resource Prosecution.

A. Information Technology/Accountability Coordinator: The SC Commission on Prosecution Coordination recognizes South Carolina's need for the collection of data regarding criminal and juvenile data. The information is being gleaned statewide and the information is being collected on various programs within the Office of Solicitor. Statistical information is outlined in state law and reports are required 60 days following the close of the fiscal year. Quarterly and annual reports are required for the Criminal Domestic Violence Prosecution (Proviso 46.9) and DUI Prosecution (Proviso 46.10). The quarterly reports for these programs as well as the case tracking documents were developed by the ITAC. Victim/Witness Assistance annual reports for SOVA are distributed, collected, and forwarded to the appropriate representatives by the ITAC. Drug Treatment Court Program information is maintained by the ITAC as well as the contact information for the Education, Intervention, and Support Services within the Office of the Solicitor (Alcohol Education Program, Expungements, Drug Treatment Court Program, Juvenile Arbitration, Pretrial Intervention, and Worthless Check Units). This year the Commission actively worked with committee members to develop, distribute, and collect information on the Prosecutor and Defender Public Service Incentive Program. This program provides funding for assistant solicitors who have three years of employment with in the Office of the Solicitor, and have

acquired outstanding student loans for attending law school. The Commission's website is maintain by the ITAC.

B. Child Abuse Prosecution Unit: Within the Commission is the Child Abuse Prosecution Unit composed of an experienced attorney who prosecutes cases involving traumatized child victims in rural districts/regions where resources are limited. A Child Victim/Witness Assistance Advocate assists the Child Abuse Attorney Specialist by performing certain duties.

Case Statistics:

Cases Assigned for Prosecution	55
Cases for Consultation	28
Parole Hearings	<u>9</u>
Total:	92

Victim Services:

Child Victims of Physical Abuse or Sexual Assault	73
Adults Survivors of Sexual Assault	5
Parents or Guardians of Abuse Victims	<u>65</u>
Total:	143

Training Presentations:

Lecturer, Sept. 2006	<i>Criminal Sexual Conduct, SC Solicitors' Association Conference</i>
Lecturer, Sept. 2006	Victim/Witness Assistance Advocates Training

Publications:

Sexual Assault and Child Abuse Prosecutions – Trial Notebook, published September 2006

C. State Office of Pretrial Intervention: Within the Commission is the State Office of Pretrial Intervention whose responsibility is to assist the Solicitor in each judicial circuit in establishing and maintaining a pretrial intervention program. The State Pretrial Intervention Coordinator and such staff which are necessary to assist in the implementation of the provisions of SC Code Sections 17-22-10 through 17-22-170 are within this office.

(1) Calendar Year 2006 Case Volume and Information:

Applications	12,754
Accepted	11,018
Pending Acceptance	600
Rejected	1,540
Pending Completion	1,788
Successfully Completed	9,002
Unsuccessfully Completed	2,392

Total Community Service Hours	371,096
Total Restitution Paid to Victims	1,220,093.03
Total Cases with Restitution	11,323

Number of Applications of Magistrate Cases	3,442
Number of Applications of General Sessions Cases	4,035

Number of Applications of General Sessions Cases	5,515
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(2) Training and Resource Materials:

SCAPTI Fall Conference (<i>coordination</i>)	September 2006
SCAPTI Spring Conference (<i>coordination</i>)	April 2007
<u>2007 Directory of Education, Intervention and Support Services within the Office of the Solicitor</u>	May 2007
PTI Software Updated	FY 06-07
PTI Director's Meetings	October 2006 December 2006 February 2007 May 2007

D. Traffic Safety Resource Prosecution: Within the Commission is the TSRP Unit composed of a Traffic Safety Resource Prosecutor and one (1) full-time Support Secretary. Currently, this program is being funded by the Department of Transportation, National Highway Traffic and Safety Administration through the SC Department of Public Safety. The goal of the grant is to establish a clearinghouse of DUI related information for prosecutors, law enforcement, judges, and other entities to enhance the effective prosecution of DUI cases.

(1) Publications

Behind the Wheel (TSRP Newsletter) Volume 7, Issue 1 (released January 17, 2007)
Behind the Wheel (TSRP Newsletter) Volume 7, Issue 2 (released March 29, 2007)
Behind the Wheel (TSRP Newsletter) Volume 7, Issue 3 (released July 27, 2007)

(2) Agency Sponsored Trainings

<u>Highway Patrol Training</u>	Date: April 10, 2007	Attendees: 56 Troopers
	Date: April 11, 2007	Attendees: 46 Troopers
	Date: April 17, 2007	Attendees: 28 Troopers
	Date: April 18, 2007	Attendees: 24 Troopers
	Date: April 24, 2007	Attendees: 43 Troopers
	Date: April 25, 2007	Attendees: 41 Troopers

ABCs of DUI- Critical Topics in DUI Prosecutions

Date: May 16-17, 2007	Attendees: 17 judges, 25 law enforcement officers, 3 prosecutors
Date: June 18-19, 2007	Attendees: 15 judges, 34 law enforcement officers, 9 prosecutors
Date: July 23-24, 2007	Attendees: 12 judges, 11 law enforcement officers, 9 prosecutors
Date: August 23-24, 2007	Attendees: 13 judges, 31 law enforcement officers, 3 prosecutors

2007 Southeastern Accident Reconstruction Conference

Dates: July 23-26, 2007 Attendees: 47 law enforcement officers

2007 Magistrate Advisory Council Intensive Training

Date: August 20-21, 2007 Attendees: 47 judges

(3) TSRP Speaking Engagements/Topics/Attendees

New Magistrate and Municipal Judge Training (Columbia)

Topic: Driving Under the Influence: The State's Perspective

Date: March 29, 2007

Attendees: 25 magistrate and municipal judges

Magistrate/Municipal Judge Training

Topic: DUI 101

Date: July 9, 2007

Attendees: 60 magistrate and municipal judges

14th Circuit LEN DUI Detection and SFST School

Topic: SFSTs and the Law Date: 7/11/2007

Attendees: 18 law enforcement officers

(4) Any other relevant measures for the DUI unit of the SCCPC

LEN Meetings

14th Circuit LEN (Beaufort) (2/27, 2007)

3rd Circuit LEN (Sumter) (3/14/2007)

1st Circuit LEN (St. Matthews) (6/26/2007)

5th Circuit LEN (Columbia) (6/27/2007, 7/27/2007)

11th Circuit LEN (Batesburg-Leesville) (7/18/2007)

E. State Victim/Witness Assistance Coordinator: (*Vacant*) Within the Commission there is a State Victim/Witness Assistance Coordinator whose primary responsibility is to coordinate the functions of the Victim/Witness Assistance Programs in the Office of Solicitor.

(1) Training and Resource Materials:

July 2006 – SC Commission on Prosecution Coordination Victim/Witness Assistance Advocates Directory

September 2006

“Prosecution Accountability”

G. Summary of Capitol Budget Priorities: Not Applicable

H. Number of Proviso Changes: 3

I. Signature/Agency Contacts:

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II. DETAILED JUSTIFICATION FOR FY 2008-09 OPERATING BUDGET PRIORITIES

A. Agency Section/Code: **E-21** Name: **SC Commission on Prosecution
Coordination**

B. Priority No. 1 of 8

C. Summary Description of Request:

(1) Title: “Child Victim/Witness Assistance Advocate”

(2) Summary: Funds are needed to annualize the existing grant funded program. The Child Victim/Witness Assistance Advocate assists the Child Abuse Attorney Specialist by performing certain duties. Within the Commission is the Child Abuse Prosecution Unit composed of an experienced attorney who prosecutes cases statewide involving traumatized child victims in rural districts/regions where resources are limited. A Child Victim/Witness Assistance Advocate assists the Child Abuse Attorney Specialist by performing certain duties as mandated by Article 1, Section 24 of the Constitution of South Carolina and SC Code Section 16-3-1505 et seq. Victim and Witness Service. While most of the cases are assigned for prosecution, there are those which involved only consultation and advise to the local jurisdictions. The Child Abuse Prosecution Unit also participates in parole hearings on behalf of the victims. Victim services are provided to child victims of physical abuse or sexual assault, adults survivors of sexual assault, and parents or guardians of abuse victims. The Child Abuse Prosecution Unit provides much needed standardized training for law enforcement, judges, prosecutors, victim advocates, health care providers and social service representatives. The Child Abuse Prosecution Unit publishes resource materials, manuals and provides updates on changes in the law.

(3) Strategic Goal/Action Plan: The primary clientele served by this agency are the sixteen (16) Judicial Circuit Solicitors, the deputy and assistant solicitors throughout the State, the Judicial Circuit Victim/Witness Assistance Advocates and their programs, the Pretrial Intervention Directors and their programs representing the forty-six (46) counties of this State, and those Solicitor-based Investigators. The number of General Sessions Court and Family Court cases handled by the sixteen (16) Judicial Circuit Solicitors has consistently increased over the past decade. However, there is annually an increasing backlog of cases to be addressed. This increasing backlog is attributable to many factors including mandatory minimum sentences, 2 strikes/3 strikes statutory provisions, the implementation of Constitutional guarantees for victims, as well as increasing scientific and technological advancements in criminology. Without proper recurring funding of the Offices of Solicitor and other criminal and juvenile justice agencies, the backlog will continue to increase and cases will become more stale as they await their dispositional dates.

D. Program Name: Administration

Program Number: 01010000

E. Agency Activity Name: Administration

Agency Number: 152

F. Detailed Justification for Funding:

(1) Justification for Funding Increases

Article 1, Section 24 of the Constitution of South Carolina, “Victims Bill of Rights” and SC Code Sections 16-3-1505 et. seq., “Victim and Witness Service” mandate victim and witness services.

These Constitutional and Statutory provisions require victim and witness notification throughout the criminal and juvenile justice systems.

(2) FY 2008-09 Cost Estimates

	State Non-Recurring Total	State Recurring	Federal	Other
Personnel:				
(a) Number of FTEs		(1.00 FTE)		
(b) Personal Services		\$40,270		
(c) Employer Contributions		\$11,276		
Program/Case Services				
Pass-Through Funds				
Other Operating Expenses		\$10,061		
TOTAL		\$61,607		

**If new FTE positions are requested, please complete Section G (Detailed Justification for FTEs) below.*

(3) <u>Base Appropriation</u>	State:	\$0
	Federal:	\$0
	Other:	\$61,607

(4) Related Capital Budget Priority (not applicable)

G. Detailed Justification for FTEs

(1) Justification for FTEs:

a. Justification: Currently the Commission does not have a state FTE for this position. Funds are needed to annualize the existing grant. The Child Victim/Witness Assistance Advocate assists the Child Abuse Attorney Specialist by performing certain duties. Within the Commission is the Child Abuse Prosecution Unit composed of an experienced attorney who prosecutes cases involving traumatized child victims in rural districts/regions where resources are limited.

b. Future Impact on Operating Expenses or Facility Requirements: The funds will be used to annualize a grant. Operating expenses are being request and facility space has already been acquired under the terms and conditions of the grant.

(2) Position Details:

(a) Number of FTEs:	(1)
(b) Personal Service	\$40,270
(c) Employer Contributions	\$11,276

(3) FTEs in Program Area per FY 2007/08 Appropriations Act:

State	_____
Federal	_____
Other	<u>1.00</u>

Agency-wide Vacant FTE's as of July 31, 2007: _____ % Vacant _____%

H. Other Comments:

**DETAILED JUSTIFICATION FOR FY 2008-09
OPERATING BUDGET PRIORITIES**

A. Agency Section/Code: **E-21** Name: **SC Commission on Prosecution Coordination**

B. Priority No. 2 of 8

C. Summary Description of Request:

(1) Title: "Police Officers' Retirement System (PORS) for Assistant Solicitors"

(2) Summary: Provides the 1.49% difference in employer contributions between the Police Officers' Retirement System (10.70%) and the SC Retirement Systems (9.21%) for Assistant Solicitors.

(3) Strategic Goal/Action Plan: Provides a public service incentive to attract and retain assistant solicitors; allows assistant solicitors the option to participate in the PORS; provides for a 25 year retirement rather than 28 year retirement; and provides that the increased employer contributions would be paid for by the Solicitors' Offices rather than increased costs to the counties.

D. Program Name: "Police Officers' Retirement System (PORS) for Assistant Solicitors"
Program Number: 95050000

E. Agency Activity Name: Office of Solicitor State Appropriations Agency Number: 151

F. Detailed Justification for Funding:

(1) Justification for Funding Increases

Provides a public service incentive to attract and retain assistant solicitors; allows assistant solicitors the option to participate in the PORS; provides for a 25 year retirement rather than 28 year retirement; and provides that any increased employer contributions would be paid for by the Solicitors' Offices rather than increased costs to the counties.

(2) FY 2008-09 Cost Estimates

	State Non-Recurring Total	State Recurring	Federal	Other
Personnel:				
(a) Number of FTEs		(No FTE)		
(b) Personal Services				
(c) Employer Contributions				
Program/Case Services				
Pass-Through Funds		\$255,684		
Other Operating Expenses				
TOTAL		\$255,684		

**If new FTE positions are requested, please complete Section G (Detailed Justification for FTEs) below.*

(3) Base Appropriation

State:	\$0
Federal:	\$0
Other:	\$0

(4) Related Capital Budget Priority *(not applicable)*

G. Detailed Justification for FTEs

(1) Justification for FTEs: *(not applicable)*

c. Justification: *(not applicable)*

d. Future Impact on Operating Expenses or Facility Requirements:

(4) Position Details:

(a) Number of FTEs

(b) Personal Service

(c) Employer Contributions

(5) FTEs in Program Area per FY 2007/08 Appropriations Act:

State _____

Federal _____

Other _____

Agency- wide Vacant FTE's as of July 31, 2007: _____ % Vacant _____%

H. Other Comments:

**DETAILED JUSTIFICATION FOR FY 2008-09
OPERATING BUDGET PRIORITIES**

A. Agency Section/Code: **E-21** Name: **SC Commission on Prosecution
Coordination**

B. Priority No. 3 of 8

C. Summary Description of Request:

(1) Title: “Driving Under the Influence Prosecution”

(2) Summary: provides dedicated funding to the sixteen Judicial Circuit Solicitors for the prosecution of driving under the influence offenses in the Magistrate and General Sessions Courts; directs the Prosecution Coordination Commission to retain information and data on the prosecution of driving under the influence offenses and to provide the General Assembly with an annual report no later than 60 days after the conclusion of the fiscal year. The “Driving Under the Influence Prosecution” funding will be apportioned to the various circuits to be used solely for the prosecution driving under the influence offenses in Magistrate and General Sessions Courts. The funding for the “Driving Under the Influence Prosecution” will be apportioned equally among the circuits.

(3) Strategic Goal/Action Plan: These dedicated funds will be used to hire prosecutors who will prosecute magistrate and general sessions level offense in the area of highway safety and driving under the influence offenses.

D. Program Name: “DUI Prosecution”
Program Number: 05600000

E. Agency Activity Name: Office of Solicitor State Appropriations Agency Number: 151

F. Detailed Justification for Funding:

(1)Justification for Funding Increases

There exist a need to provide statistics on the number of driving under the influence cases prosecuted in Magistrate and General Sessions courts. If funded, the Commission on Prosecution Coordination would retain information and data on the prosecutions and provide the General Assembly with an annual report no later than 60 days after the conclusion of the fiscal year. The Commission will receive quarterly reports from the Sixteen Judicial Circuit Solicitors on the prosecution of driving under the influence offenses in the Magistrate and General Sessions Courts. The reports will include at a minimum information and statistics regarding the location, the number and type of charges, the number of cases prosecuted and the disposition of the cases. From this information, the Commission will be able to evaluate the needs for the various disciplines regarding caseloads of prosecutors, the assessment of each offender, essential treatment programs, victims’ programs, training needs regarding victim advocacy when “safety provides a risk”. Through the evaluation of the information provided by the Commission, the State of South Carolina will be better equipped to prosecute driving under the influence offenses.

(2) FY 2008-09 Cost Estimates

	State Non-Recurring Total	State Recurring	Federal	Other
Personnel:				
(a) Number of FTEs		(No FTE)		
(b) Personal Services				
(c) Employer Contributions				
Program/Case Services				
Pass-Through Funds		\$1,600,000		
Other Operating Expenses				
TOTAL		\$1,600,000		

**If new FTE positions are requested, please complete Section F (Detailed Justification for FTEs) below.*

(3) <u>Base Appropriation</u>	State:	\$1,600,000
	Federal:	\$0
	Other:	\$0

(4) Related Capital Budget Priority (not applicable)

G. Detailed Justification for FTEs

(1) Justification for FTEs: (not applicable)

e. Justification: (not applicable)

f. Future Impact on Operating Expenses or Facility Requirements:

(6) Position Details:

- (a) Number of FTEs
- (b) Personal Service
- (c) Employer Contributions

(7) FTEs in Program Area per FY 2007/08 Appropriations Act:

State	_____
Federal	_____
Other	_____

Agency- wide Vacant FTE's as of July 31, 2007: _____ % Vacant _____%

H. Other Comments:

**DETAILED JUSTIFICATION FOR FY 2008-09
OPERATING BUDGET PRIORITIES**

- A. Agency Section/Code: **E-21** Name: **SC Commission on Prosecution Coordination**
- B. Priority No. 4 of 8
- C. Summary Description of Request:
- (1) Title: “Criminal Domestic Violence Prosecutors”
 - (2) Summary: provides dedicated funding to the sixteen Judicial Circuit Solicitors for criminal domestic violence prosecution in the Magistrate and General Sessions Courts; provides that each Solicitor shall designate at least one individual prosecutor per county for this purpose; provides that a Solicitor and the Attorney General may partner to accomplish these provisions; and, directs the Prosecution Coordination Commission to retain information and data on criminal domestic violence prosecutions and to provide the General Assembly with an annual report no later than 60 days after the conclusion of the fiscal year. The “Criminal Domestic Violence Prosecution” funding will be apportioned to the various circuits to be used solely for the prosecution of domestic violence cases in Magistrate and General Sessions Courts. The increase of “Criminal Domestic Violence Prosecution” funding will be apportioned among the circuits on a per capita bases and based upon the official Census of 2000. These monies are in addition to the base appropriation which is allocated equally to the circuits. Collectively, these funds will be distributed to the sixteen judicial circuits to be used solely for the purpose of domestic violence prosecutions in the Magistrate and General Sessions Courts.
 - (3) Strategic Goal/Action Plan: These dedicated funds will be used to hire prosecutors who will prosecute magistrate and general sessions offenses in the area of criminal domestic violence.
- D. Program Name: “Criminal Domestic Violence Prosecutors”
Program Number: 05500000
- E. Agency Activity Name: Office of Solicitor State Appropriations Agency Number: 151
- F. Detailed Justification for Funding:

(1)Justification for Funding Increases

Currently, the Commission on Prosecution Coordination is required to retain information and data on domestic violence prosecutions and provide the General Assembly with an annual report no later than 60 days after the conclusion of the fiscal year. The Commission will receive quarterly reports from the Sixteen Judicial Circuit Solicitors on the prosecution of domestic violence in the Magistrate and General Sessions Courts. The reports will include, at a minimum, information and statistics regarding the location, the number and type of criminal domestic charges, the number of cases prosecuted and the disposition of the cases. From this information, the Commission will be able to evaluate the needs for the various disciplines regarding caseloads of prosecutors, the assessment of each offender, essential treatment programs, victims’ programs, training needs regarding victim advocacy when “safety provides a risk”. Through the evaluation of the information provided by the Commission, the State of South Carolina will be better equipped to address the cycle of violence in its infant stages.

(2) FY 2008-09 Cost Estimates

	State Non-Recurring Total	State Recurring	Federal	Other
Personnel:				
(a) Number of FTEs		(No FTE)		
(b) Personal Services				
(c) Employer Contributions				
Program/Case Services				
Pass-Through Funds		\$2,006,006		
Other Operating Expenses				
TOTAL		\$2,006,006		

**If new FTE positions are requested, please complete Section F (Detailed Justification for FTEs) below.*

(3) <u>Base Appropriation</u>	State:	\$2,006,006
	Federal:	\$0
	Other:	\$0

(4) Related Capital Budget Priority *(not applicable)*

G. Detailed Justification for FTEs

(1) Justification for New FTE Positions: *(not applicable)*

a. Position Details: *(not applicable)*

b. Detailed Justification for FTEs

New FTEs *(not applicable)*

Vacant FTEs: *(not applicable)*

Percentage comparison: *(not applicable)*

**DETAILED JUSTIFICATION FOR FY 2008-09
OPERATING BUDGET PRIORITIES**

A. Agency Section/Code: **E-21** Name: **SC Commission on Prosecution Coordination**

B. Priority No. 5 of 8

C. Summary Description of Request:

(1) Title: “Drug Treatment Court Programs”

(2) Summary: Provides for a base allocation of \$150,000 per Judicial Circuit for Drug Treatment Court Programs. These funds will be distributed to the judicial circuits to be used solely for the purpose of establishing (adult, juvenile and/or abuse and neglect courts) and maintaining Drug Treatment Court Programs. The funds will provide a base allocation of \$150,000 to the following judicial circuits: 1st (Calhoun, Dorchester, Orangeburg), 2nd (Aiken, Bamberg, Barnwell), 6th (Chester, Lancaster, Fairfield), 7th (Cherokee, Spartanburg), 8th (Abbeville, Greenwood, Laurens, Newberry), 9th (Charleston, Berkeley), 10th (Anderson, Oconee), 13th (Greenville, Pickens), 14th (Allendale, Hampton, Colleton, Jasper, Beaufort), 15th (Georgetown, Horry), 16th (Union, York) and \$40,599 for the 5th (Kershaw, Richland). The mission of drug treatment court programs is to stop the abuse of alcohol and other drugs and related criminal activity by offenders. Drug courts handle cases involving drug-addicted offenders through an extensive supervision and treatment program.

(3) Strategic Goal/Action Plan: There exist a need to provide alternative sentences for certain offenders. Drug treatment court programs established within the Office of the Solicitor provide the essential program for providing treatment instead of incarceration for certain offenders. The base allocation of \$150,000 will provide the base funding to establish (adult, juvenile, and/or abuse and neglect) drug treatment courts. The drug treatment court programs generally consists of a judge, prosecutor, defense attorney, treatment provider, law enforcement officer, probation officer, case manager, and program coordinator. Typically, drug courts demand abstinence from crime, alcohol, and drugs. Participants are also ordered to seek additional education or job training opportunities. Most drug treatment court programs require the participant to remain under the court's supervision for at least one year. Other than intensive drug treatment and case management, the successful participant also receives a benefit from the criminal justice system.

D. Program Name: “Drug Treatment Court Programs”
Program Number: (new)

E. Agency Activity Name: Office of Solicitor State Appropriations Agency Number: 151

F. Detailed Justification for Funding:

(1) Justification for Funding Increases

There exist a need to provide alternatives for certain offenders. Drug treatment court programs established within the Office of the Solicitor provide the essential program for providing treatment instead of incarceration for certain offenders. These funds will be distributed to the judicial circuits to be solely for the purpose of establishing (adult, juvenile and/or abuse and neglect courts) and

maintaining Drug Treatment Court Programs. The funds will provide a base allocation of \$150,000 to the following judicial circuits: 1st (Calhoun, Dorchester, Orangeburg), 2nd (Aiken, Bamberg, Barnwell), 6th (Chester, Lancaster, Fairfield), 7th (Cherokee, Spartanburg), 8th (Abbeville, Greenwood, Laurens, Newberry), 9th (Charleston, Berkeley), 10th (Anderson, Oconee), 13th (Greenville, Pickens), 14th (Allendale, Hampton, Colleton, Jasper, Beaufort), 15th (Georgetown, Horry), 16th (Union, York) and \$40,599 5th (Kershaw, Richland). The mission of drug treatment court programs is to stop the abuse of alcohol and other drugs and related criminal activity by offenders. Drug courts handle cases involving drug-addicted offenders through an extensive supervision and treatment program.

(2) FY 2008-09 Cost Estimates

	State Non-Recurring Total	State Recurring	Federal	Other
Personnel:				
(a) Number of FTEs		(No FTE)		
(b) Personal Services				
(c) Employer Contributions				
Program/Case Services				
Pass-Through Funds		\$1,690,599		
Other Operating Expenses				
TOTAL		\$1,690,599		

**If new FTE positions are requested, please complete Section F (Detailed Justification for FTEs) below.*

(3) <u>Base Appropriation</u>	State:	\$0
	Federal:	\$0
	Other:	\$0

(4) Related Capital Budget Priority (not applicable)

G. Detailed Justification for FTEs

(1) Justification for FTEs: (not applicable)

g. Justification: (not applicable)

h. Future Impact on Operating Expenses or Facility Requirements:

(8) Position Details:

- (a) Number of FTEs
- (b) Personal Service
- (c) Employer Contributions

(9) FTEs in Program Area per FY 2007/08 Appropriations Act:

State	_____
Federal	_____
Other	_____

Agency- wide Vacant FTE's as of July 31, 2007: _____ % Vacant _____%

H. Other Comments:

III. DETAILED JUSTIFICATION FOR FY 2008-09 OPERATING BUDGET PRIORITIES

A. Agency Section/Code: **E-21** Name: **SC Commission on Prosecution Coordination**

B. Priority No. 6 of 8

C. Summary Description of Request:

(1) Title: "Judicial Circuit Solicitor Salary Equalization"

(2) Summary: Provides for the equalization of the salary earned for each full-time circuit solicitor to that of each full-time circuit court judge.

(3) Strategic Goal/Action Plan: Provides the manner in which salaries for solicitors shall be paid so as to provide that the amount appropriated shall be paid to each full-time solicitor; provides that each full-time circuit solicitor shall earn a salary not less than each full-time circuit court judge; and, equalizes the salary earned by each full-time circuit solicitor to that of the salary earned by each full-time circuit court judge.

D. Program Name: Offices of Circuit Solicitors

Program Number: 05010000

E. Agency Activity Name: Office of Solicitor State Appropriations

Agency Number: 151

F. Detailed Justification for Funding:

(1) Justification for Funding Increases

equalizes the salary earned by each full-time circuit solicitor to that of the salary earned by each full-time circuit court judge

(2) FY 2008-09 Cost Estimates

	State Non-Recurring Total	State Recurring	Federal	Other
Personnel:				
(a) Number of FTEs		(No FTE)		
(b) Personal Services		\$5,088		
(c) Employer Contributions		\$2,294		
Program/Case Services				
Pass-Through Funds				
Other Operating Expenses				
TOTAL		\$7,382		

**If new FTE positions are requested, please complete Section G (Detailed Justification for FTEs) below.*

(3) <u>Base Appropriation</u>	State:	\$1,999,288
	Federal:	\$0
	Other:	\$0

(4) Related Capital Budget Priority *(not applicable)*

G. Detailed Justification for FTEs

(1) Justification for FTEs: *(not applicable)*

i. Justification: *(not applicable)*

j. Future Impact on Operating Expenses or Facility Requirements:

(10) Position Details:

(a) Number of FTEs

(b) Personal Service

(c) Employer Contributions

(11) FTEs in Program Area per FY 2007/08 Appropriations Act:

State _____

Federal _____

Other _____

Agency- wide Vacant FTE's as of July 31, 2007: _____ % Vacant _____%

H. Other Comments:

**DETAILED JUSTIFICATION FOR FY 2008-09
OPERATING BUDGET PRIORITIES**

A. Agency Section/Code: **E-21** Name: **SC Commission on Prosecution
Coordination**

B. Priority No. 7 of 8

C. Summary Description of Request:

(1) Title: "Solicitor Case Management System"

(2) Summary: will provide funding for contracts for phone support and maintenance for the Solicitor Case Management System being provided through the South Carolina Judicial Department. These funds will support the maintenance contracts for the case management systems in the 1st (Calhoun, Dorchester, Orangeburg), 6th (Chester, Fairfield, Lancaster), 8th (Abbeville, Greenwood, Laurens, Newberry), 10th (Anderson, Oconee), 11th (Edgefield, Lexington, McCormick, Saluda), 14th (Allendale, Beaufort, Colleton, Hampton, Jasper) and 15th (Georgetown, Horry) Judicial Circuits. Pursuant to the contractual agreement, the Sixteen Judicial Circuit Solicitors will receive from the SC Judicial Department its Solicitor Case Management System. Each Solicitor's Office will receive one year of phone support and maintenance free of charge and must thereafter, beginning year two, provide funding for the maintenance of these systems. The "Solicitor Case Management System" funds are necessary to provide phone support and maintenance to the three Judicial Circuit Solicitors' Office which have received the SC Judicial Department provided case management systems too.

(3) Strategic Goals/Action Plans: The statewide plan is to have a secure electronic transfer of criminal justice and juvenile justice data via the Internet connectivity between the Solicitors' Case Management System, Judicial Department and SLED.

D. Program Name: "Solicitor's Case Management System"

Program Number: 05600000

E. Agency Activity Name: Office of Solicitor State Appropriations Agency Number: 151

F. Detailed Justification for Funding:

(1) Justification for Funding Increases

The "Solicitor Case Management System" for contracts for phone support and maintenance for the Solicitor Case Management System being provided through the South Carolina Judicial Department. These funds will support the maintenance contracts for the case management systems in the 1st (Calhoun, Dorchester, Orangeburg), 6th (Chester, Fairfield, Lancaster), 8th (Abbeville, Greenwood, Laurens, Newberry), 10th (Anderson, Oconee), 11th (Edgefield, Lexington, McCormick, Saluda), 14th (Allendale, Beaufort, Colleton, Hampton, Jasper) and 15th (Georgetown, Horry) Judicial Circuits. Pursuant to the contractual agreement, the Sixteen Judicial Circuit Solicitors will receive from the SC Judicial Department its Solicitor Case Management System. Each Solicitor's Office will receive one year of phone support and maintenance free of charge and must thereafter, beginning year two, provide funding for the maintenance of these systems.

(2) FY 2008-09 Cost Estimates

	State Non-Recurring Total	State Recurring	Federal	Other
Personnel:				
(a) Number of FTEs		(No FTE)		
(b) Personal Services				
(c) Employer Contributions				
Program/Case Services				
Pass-Through Funds		\$127,500		
Other Operating Expenses				
TOTAL		\$127,500		

**If new FTE positions are requested, please complete Section F (Detailed Justification for FTEs) below.*

(3) <u>Base Appropriation</u>	State:	\$71,400
	Federal:	\$0
	Other:	\$0

(4) Related Capital Budget Priority *(not applicable)*

G. Detailed Justification for FTEs

(1) Justification for New FTE Positions: *(not applicable)*

c. Position Details: *(not applicable)*

d. Detailed Justification for FTEs

New FTEs *(not applicable)*

Vacant FTEs: *(not applicable)*

Percentage comparison: *(not applicable)*

**DETAILED JUSTIFICATION FOR FY 2008-09
OPERATING BUDGET PRIORITIES**

A. Agency Section/Code: **E-21** Name: **SC Commission on Prosecution
Coordination**

B. Priority No. 8 of 8

C. Summary Description of Request:

(1) Title: "Alcohol Education Program (AEP) Software"

(2) Summary: There exists a need to develop and install the necessary software program for the electronic transfer of data from the judicial circuit Alcohol Education Programs to a central repository at SLED so that offenders makes application and participates only once in any Alcohol Education Program.

The General Assembly passed A35, R.72, H3490 of 2007 which is the Act to create the "Alcohol Education Program" for persons who commit certain alcohol-related offenses, and to provide procedures for the operation of a program and requirements for the operation of a program and requirements for persons desiring to enter a program. The programs are to be established by July 1, 2008.

To date, there is no central repository of the data collected on AEP participants. This AEP software is needed to prevent offenders from participating in the AEP program more than once. Therefore, the Commission is desirous to coordinate with SLED and the necessary vendors the development and installation of a software program which provides for the central repository of pertinent data on participants in the AEP programs within the Office of Solicitor.

(3) Strategic Goals/Action Plans: A35, R.72, H3490 of 2007 is an act to create the "Alcohol Education Program" for persons who commit certain alcohol-related offenses, and to provide procedures for the operation of a program and requirements for the operation of a program and requirements for persons desiring to enter a program. The statewide plan is to have a secure electronic transfer of criminal justice and juvenile justice data via the Internet among the following: the Solicitors' Case Management System, SLED, the SCCPC and the Judicial Department.

D. Program Name: "Alcohol Education Program (AEP) Software"

Program Number: (new)

E. Agency Activity Name: Administration

Agency Number: 152

F. Detailed Justification for Funding:

(1) Justification for Funding Increases

There exists a need to develop and install the necessary software program for the electronic transfer of data from the judicial circuit Alcohol Education Programs to a central repository at SLED so that offenders makes application and participates only once in any Alcohol Education Program.

A.35, R.72, H3490 of 2007 is the Act to create an "Alcohol Education Program" for persons who commit certain alcohol-related offenses, and to provide procedures for the operation of a

program and requirements for the operation of a program and requirements for persons desiring to enter a program. The statewide plan is to have a secure electronic transfer of criminal justice and juvenile justice data via the Internet among the following: the Solicitors' Case Management System, SLED, the SCCPC and the Judicial Department.

(2) FY 2008-09 Cost Estimates

	State Non-Recurring Total	State Recurring	Federal	Other
Personnel:				
(a) Number of FTEs		(No FTE)		
(b) Personal Services				
(c) Employer Contributions				
Program/Case Services				
Pass-Through Funds				
Other Operating Expenses	\$100,000			
TOTAL	\$100,000			

**If new FTE positions are requested, please complete Section F (Detailed Justification for FTEs) below.*

(3) <u>Base Appropriation</u>	State:	\$0
	Federal:	\$0
	Other:	\$0

(4) Related Capital Budget Priority *(not applicable)*

G. Detailed Justification for FTEs

(1) Justification for New FTE Positions: *(not applicable)*

e. Position Details: *(not applicable)*

f. Detailed Justification for FTEs

New FTEs *(not applicable)*

Vacant FTEs: *(not applicable)*

Percentage comparison: *(not applicable)*

III. PROVISOS

- A. Affected Agency Section/Code/Name:
Section: Section 46
Code: E-21
Name: SC Commission on Prosecution Coordination
- B. Related Funding Priority Number (*Leave blank if not associated with funding priority*):
Funding Priority #4
- C. Proviso Number (*If new indicate "New #1," "New #2," etc.*): 46.9
- D. Action (*Indicate Amend, Delete, or Add*): Amend
- E. Descriptive Proviso Title: (PCC: Criminal Domestic Violence Prosecution)

F. Summary of Existing or New Proviso: This proviso directs the manner in which criminal domestic violence funding is distributed to the 16 Judicial Circuits so as to provide that \$2,200,000 be apportioned equally among the circuits and the balance thereafter remaining shall be apportioned among the circuits on a per capita basis and based upon the Official Census of 2000; provides that the funds be used solely for the purpose of criminal domestic violence prosecution in the magistrate and circuit courts; directs that payment shall be made as soon after each quarter as practical; provides that each Solicitor shall designate at least one individual prosecutor per county for this purpose; provides that a Solicitor and the Attorney General may partner to accomplish these provisions; and, directs the Prosecution Coordination Commission to retain information and data on criminal domestic violence prosecutions and to provide the General Assembly with an annual report no later than 60 days after the conclusion of the fiscal year.

G. Explanation of Amendment to/or Deletion of Existing Proviso (*If request to delete proviso is due to codification, note the section of the Code of Laws where the language has been codified*): This proviso directs the manner in which criminal domestic violence funding is distributed to the 16 Judicial Circuits so as to provide that \$2,200,000 be apportioned equally among the circuits and the balance thereafter remaining shall be apportioned among the circuits on a per capita basis and based upon the Official Census of 2000; provides that the funds be used solely for the purpose of criminal domestic violence prosecution in the magistrate and circuit courts; directs that payment shall be made as soon after each quarter as practical; provides that each Solicitor shall designate at least one individual prosecutor per county for this purpose; provides that a Solicitor and the Attorney General may partner to accomplish these provisions; and, directs the Prosecution Coordination Commission to retain information and data on criminal domestic violence prosecutions and to provide the General Assembly with an annual report no later than 60 days after the conclusion of the fiscal year.

H. Explanation of How the Change Affects Current Law or Policy: This proviso directs the manner in which criminal domestic violence funding is distributed to the 16 Judicial Circuits so as to provide that \$2,200,000 be apportioned equally among the circuits and the balance thereafter remaining shall be apportioned among the circuits on a per capita basis and based upon the Official Census of 2000; provides that the funds be used solely for the purpose of criminal domestic violence prosecution in the magistrate and circuit courts; directs that payment shall be made as soon after each quarter as practical; provides that each Solicitor shall designate at least one individual prosecutor per county for this purpose; provides that a Solicitor and the Attorney General may partner to accomplish these

provisions; and, directs the Prosecution Coordination Commission to retain information and data on criminal domestic violence prosecutions and to provide the General Assembly with an annual report no later than 60 days after the conclusion of the fiscal year.

I. Justification:

Description of why this action is necessary:

Description of how this action will contribute to the agency's mission:

c) Cite the section and reference paragraphs if included in your agency's

Accountability Report: The Commission requests that the "Criminal Domestic Violence Prosecution" funds be distributed to the 16 Judicial Circuits so as to provide that \$2,200,000 be apportioned equally among the circuits and the balance thereafter remaining shall be apportioned among the circuits on a per capita basis and based upon the Official Census of 2000; requests that the funds be used solely for the purpose of criminal domestic violence prosecution in the magistrate and circuit courts; requests that payment shall be made as soon after each quarter as practical; requests that each Solicitor shall designate at least one individual prosecutor per county for this purpose; requests that a Solicitor and the Attorney General may partner to accomplish these provisions; and, requests the Prosecution Coordination Commission to retain information and data on criminal domestic violence prosecutions and to provide the General Assembly with an annual report no later than 60 days after the conclusion of the fiscal year.

J. Fiscal Impact (*Include impact on all sources of funds – state, federal, and other*):

FY 2008-09 Cost Estimates

	State Non-Recurring	State Recurring	Federal	Other	Total
Personnel:					
Program/Case Services					
Pass-Through Funds		\$2,006,006			
FTEs (No FTEs)					
Other Operating Expenses					
TOTAL					\$2,006,006

K. Submitted By (*Include agency name submitting change, contact name and telephone number*):

William D. Bilton, Executive Director
 SC Commission on Prosecution Coordination
 P. O. Box 11561
 Columbia, South Carolina 29211
 Telephone: (803) 343-0765
 Facsimile: (803) 343-0766

L. Text of New Proviso with Underline or Entire Existing Proviso Text with Strikeover and Underline:

46.9 (PCC: Criminal Domestic Violence Prosecution)

Of the amount appropriated in Part 1A Section 33 for Criminal Domestic Violence Prosecution, \$2,200,000 shall be apportioned equally among the circuits and the balance thereafter remaining shall be apportioned among the circuits on a per capita basis and based upon the Official Census of 2000. The amount appropriated shall be used solely for the purpose of criminal domestic violence prosecution in the magistrate and circuit courts. Payment shall be made as soon after the beginning of each quarter as practical. Each Solicitor shall designate at least one individual prosecutor per county for this purpose. A Solicitor and the Attorney General may partner to accomplish these provisions. The Prosecution Coordination Commission shall retain information and data on criminal domestic violence prosecutions and shall provide the General Assembly with an annual report no later than 60 days after the conclusion of the fiscal year. If not privileged information by law, the report shall at a minimum include information and statistics regarding the location, the number and type of criminal domestic charges, the number of cases prosecuted and the disposition of the cases.

III. PROVISOS

A. Affected Agency Section/Code/Name:

Section: Section 46

Code: E-21

Name: SC Commission on Prosecution Coordination

B. Related Funding Priority Number (*Leave blank if not associated with funding priority*):
Funding Priority #3

C. Proviso Number (*If new indicate "New #1," "New #2," etc.*): 46.10

D. Action (*Indicate Amend, Delete, or Add*): Amend

E. Descriptive Proviso Title: (PCC: Driving Under the Influence Prosecution)

F. Summary of Existing or New Proviso: This proviso directs the manner in which driving under the influence funding is distributed to the 16 Judicial Circuits so as to provide that the funds be apportioned equally among the circuits; provides that the funds be used solely for the purpose of driving under the influence prosecution in the magistrate and circuit courts; directs that payment shall be made as soon after each quarter as practical; and, directs the Prosecution Coordination Commission to retain information and data on driving under the influence prosecutions and to provide the General Assembly with an annual report no later than 60 days after the conclusion of the fiscal year.

G. Explanation of Amendment to/or Deletion of Existing Proviso (*If request to delete proviso is due to codification, note the section of the Code of Laws where the language has been codified*): This proviso directs the manner in which driving under the influence funding is distributed to the 16 Judicial Circuits so as to provide that the funds be apportioned equally among the circuits; provides that the funds be used solely for the purpose of driving under the influence prosecution in the magistrate and circuit courts; directs that payment shall be made as soon after each quarter as practical; and, directs the Prosecution Coordination Commission to retain information and data on driving under the influence prosecutions and to provide the General Assembly with an annual report no later than 60 days after the conclusion of the fiscal year.

H. Explanation of How the Change Affects Current Law or Policy: This proviso directs the manner in which driving under the influence funding is distributed to the 16 Judicial Circuits so as to provide that the funds be apportioned equally among the circuits; provides that the funds be used solely for the purpose of driving under the influence prosecution in the magistrate and circuit courts; directs that payment shall be made as soon after each quarter as practical; and, directs the Prosecution Coordination Commission to retain information and data on driving under the influence prosecutions and to provide the General Assembly with an annual report no later than 60 days after the conclusion of the fiscal year.

I. Justification:

Description of why this action is necessary:

Description of how this action will contribute to the agency's mission:

c) Cite the section and reference paragraphs if included in your agency's

Accountability Report: The Commission requests that the "Driving under the Influence Prosecution" funds be distributed to the 16 Judicial Circuits so as to provide that the funds be apportioned equally

among the circuits; requests that the funds be used solely for the purpose of driving under the influence prosecution in the magistrate and circuit courts; requests that payment shall be made as soon after each quarter as practical; and, requests the Prosecution Coordination Commission to retain information and data on driving under the influence prosecutions and to provide the General Assembly with an annual report no later than 60 days after the conclusion of the fiscal year.

J. Fiscal Impact (*Include impact on all sources of funds – state, federal, and other*):

FY 2008-09 Cost Estimates

	State Non-Recurring	State Recurring	Federal	Other	Total
Personnel:					
Program/Case Services					
Pass-Through Funds		\$1,600,000			
FTEs (No FTEs)					
Other Operating Expenses					
TOTAL					\$1,600,000

K. Submitted By (*Include agency name submitting change, contact name and telephone number*):

William D. Bilton, Executive Director
 SC Commission on Prosecution Coordination
 P. O. Box 11561
 Columbia, South Carolina 29211
 Telephone: (803) 343-0765
 Facsimile: (803) 343-0766

L. Text of New Proviso with Underline or Entire Existing Proviso Text with Strikeover and Underline:

46.10. (PCC: DUI Prosecution) *The amount appropriated in Part IA, Section 33, for Driving Under the Influence Prosecution shall be apportioned equally among the circuits. The amount appropriated shall be used solely for the purpose of driving under the influence prosecution in the magistrate and circuit courts. Payment shall be made as soon after the beginning of each quarter as practical. ~~however, before the second or subsequent quarterly payments may be made, the Solicitor must provide proof that additional personnel above the previous level have been hired for the purpose of prosecuting driving under the influence cases in magistrate and circuit courts.~~ The Prosecution Coordination Commission shall retain information and data on driving under the influence prosecutions and shall provide the General Assembly with an annual report no later than 60 days after the conclusion of the fiscal year. The report shall at a minimum include an accounting of the expenditure of the funds as well as information and statistics regarding the location, the number and type of driving under the influence charges, the number of cases prosecuted, and the disposition of the cases.*

III. PROVISOS

A. Affected Agency Section/Code/Name:

Section: Section 46

Code: E-21

Name: SC Commission on Prosecution Coordination

B. Related Funding Priority Number: *(Leave blank if not associated with funding priority):*

Funding Priority #6

C. Proviso Number *(If new indicate "New #1," "New #2," etc.):* 46.1

D. Action *(Indicate Amend, Delete, or Add):* Amend

E. Descriptive Proviso Title: (PCC: Solicitor Salary)

F. Summary of Existing or New Proviso: This proviso directs the manner in which salaries for solicitors shall be paid so as to provide that the amount appropriated shall be paid to each full-time solicitor.

G. Explanation of Amendment to/or Deletion of Existing Proviso: This proviso directs the manner in which salaries for solicitors shall be paid so as to provide that the amount appropriated shall be paid to each full-time solicitor. The amendment further provides that each full-time circuit solicitor shall earn a salary not less than each full-time circuit court judge. The amendment equalizes the salary earned by each full-time circuit solicitor to that of the salary earned by each full-time circuit court judge.

H. Explanation of How the Change Affects Current Law or Policy: This proviso directs the manner in which salaries for solicitors shall be paid so as to provide that the amount appropriated shall be paid to each full-time solicitor. The amendment further provides that each full-time circuit solicitor shall earn a salary not less than each full-time circuit court judge. The amendment equalizes the salary earned by each full-time circuit solicitor to that of the salary earned by each full-time circuit court judge.

I. Justification:

Description of why this action is necessary:

Description of how this action will contribute to the agency's mission:

This proviso directs the manner in which salaries for solicitors shall be paid so as to provide that the amount appropriated shall be paid to each full-time solicitor. The amendment further provides that each full-time circuit solicitor shall earn a salary not less than each full-time circuit court judge. The amendment equalizes the salary earned by each full-time circuit solicitor to that of the salary earned by each full-time circuit court judge.

J. Fiscal Impact *(Include impact on all sources of funds – state, federal, and other):*

FY 2008-09 Cost Estimates

	State Non-Recurring	State Recurring	Federal	Other	Total
Personnel:		\$7,382			
Program/Case Services					
Pass-Through Funds					
FTEs (No FTEs)					
Other Operating Expenses					
TOTAL					\$7,382

K. Submitted By:

William D. Bilton, Executive Director
 SC Commission on Prosecution Coordination
 P. O. Box 11561
 Columbia, South Carolina 29211
 Telephone: (803) 343-0765
 Facsimile: (803) 343-0766

L. 46.1 (PCC: Solicitor Salary) The amount appropriated in this section for salaries of solicitors shall be paid to each full-time solicitor. Each full-time circuit solicitor shall earn a salary not less than each full-time circuit court judge.

IV. DETAILED JUSTIFICATION FOR FY 2008-09
OPERATING BUDGET PRIORITIES

ADDENDUM

A. Agency Section/Code: **E-16** Name: **State Treasurer's Office**

B. Priority No. 1 of 1

C. Summary Description of Request:

(1) Title: "Prosecutors and Defenders Public Service Incentive Program"

(2) Summary: Provides for second-year funding for the "Prosecutors and Defenders Public Service Incentive Program" administered by the State Treasurer's Office

(3) Strategic Goal/Action Plan: Provides the second-year funding for the "Prosecutors and Defenders Public Incentive Program" administered by the State Treasurer's Office. This public service incentive program is designed to assist the Attorney General's Office, the SC Commission on Prosecution Coordination, and the Commission on Indigent Defense Office in the attraction and retention of qualified attorneys as Assistant Attorney Generals, Assistant Solicitors, and Assistant Public Defenders. This program provides direct reimbursement to qualifying attorneys for payment made on outstanding law school loans in the prior calendar year.

D. Program Name:

Program Number:

E. Agency Activity Name: Agency Number:

F. Detailed Justification for Funding:

(1) Justification for Funding Increases Provides the second-year funding for the "Prosecutors and Defenders Public Incentive Program" administered by the State Treasurer's Office. This public service incentive program is designed to assist the Attorney General's Office, the SC Commission on Prosecution Coordination, and the Commission on Indigent Defense Office in the attraction and retention of qualified attorneys as Assistant Attorney Generals, Assistant Solicitors, and Assistant Public Defenders. This program provides direct reimbursement to qualifying attorneys for payment made on outstanding law school loans in the prior calendar year.

(2) FY 2008-09 Cost Estimates

	State Non-Recurring Total	State Recurring	Federal	Other
Personnel:				
(a) Number of FTEs		(No FTE)		
(b) Personal Services				
(c) Employer Contributions				

Program/Case Services	
Pass-Through Funds	\$81,000
Other Operating Expenses	
TOTAL	\$81,000

**If new FTE positions are requested, please complete Section G (Detailed Justification for FTEs) below.*

(3) <u>Base Appropriation</u>	State:	\$375,000
	Federal:	\$0
	Other:	\$0

(4) Related Capital Budget Priority *(not applicable)*

G. Detailed Justification for FTEs

(1) Justification for FTEs: *(not applicable)*

k. Justification: *(not applicable)*

l. Future Impact on Operating Expenses or Facility Requirements:

(12) Position Details:

- (a) Number of FTEs
- (b) Personal Service
- (c) Employer Contributions

(13) FTEs in Program Area per FY 2007/08 Appropriations Act:

State	_____
Federal	_____
Other	_____

Agency- wide Vacant FTE's as of July 31, 2007: _____ % Vacant _____%

H. Other Comments:

FY 2008-09 ACTIVITY PRIORITY ADDENDUM

I. PRIORITY ASSESSMENT OF ACTIVITIES – HIGHEST PRIORITIES

A. Agency Section/Code/Name: Section 33 - E21 – SC Commission on Prosecution Coordination

B.

Priority Assessment of Activities – Highest Priorities	General	Federal	Supplemental	Capital Reserve	Other	Total	FTEs
Activity Number & Name: 151 Office of Solicitor State Appropriations	14,370,163	0	0	0	5,179,352	19,549,515	32
Activity Number & Name: 152 Administration	721,523	0	0	0	0	721,523	6
Activity Number & Name: 153 State Office of Pretrial Intervention	46,563	0	0	0	0	46,563	1
Activity Number & Name: 154 Child Abuse Prosecution Unit	81,494	0	0	0	0	81,494	1
Activity Number & Name: 155 Traffic Safety Resource Prosecutor	0	162,334	0	0	0	162,334	0
TOTAL OF HIGHEST PRIORITIES	\$ 15,219,743	\$ 162,334	\$ 0	\$ 0	\$ 5,179,352	\$ 20,561,429	40.00

FY 2008-09 ACTIVITY PRIORITY ADDENDUM

II. PRIORITY ASSESSMENT OF ACTIVITIES – LOWEST PRIORITIES

A. Agency Section/Code/Name: N/A

B. Agency Activity Number and Name:

C. Explanation of Lowest Priority Status:

D. Estimate of Savings:

Estimate of Savings:	General	Federal	Supplemental	Capital Reserve	Other	Total
Personnel:						
(a) Number of FTEs	0	0	0	0	0	0.00
(b) Personal Service	0		0	0	0	\$ 0
(c) Employer Contributions	0		0	0	0	\$ 0
Program/Case Services	0	0	0	0	0	\$ 0
Pass-Through Funds	0	0	0	0	0	\$ 0
Other Operating Expenses	0	0	0	0	0	\$ 0
Total	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0

E. Activity Impact *(Describe the impact on the activity affected including the impact on customers and clients.):*

F.

Summary of Priority Assessment of Activities – Lowest Priorities	General	Federal	Supplemental	Capital Reserve	Other	Total	FTEs
Activity Number & Name:	0	0	0	0	0	\$ 0	0
Activity Number & Name:	0	0	0	0	0	\$ 0	0
Activity Number & Name:	0	0	0	0	0	\$ 0	0
Activity Number & Name:	0	0	0	0	0	\$ 0	0
Activity Number & Name:	0	0	0	0	0	\$ 0	0
TOTAL OF LOWEST PRIORITIES	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	0.00